

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

VICTOR BERNARD LYLES,

Plaintiff

v.

DR. DEWAYNE AYERS, et. al.,

Defendants

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1:06-cv-56 (WLS)

ORDER

Before the Court is a Recommendation from United States Magistrate Richard L. Hodge, filed on June 27, 2007. (Doc. 48). It is recommended that Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (Doc. 34) be denied. (Doc. 48). Plaintiff filed a timely objection to the Report and Recommendation on July 9, 2007, (Doc. 49), to which Defendants filed a timely Response on July 12, 2007. (Doc. 50).

In the Recommendation, it was found that Plaintiff has not established that he is entitled to injunctive relief as he did not show that there is a substantial likelihood that he will prevail on the merits of his claims, that he will suffer irreparable harm unless the injunction issues, or that no other relief is available to address his alleged injuries. (Doc. 48). It is therefore recommended that Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (Doc. 34) be denied.

In his objection, Plaintiff merely reasserts the arguments made in his Motion for Temporary Restraining Order and Preliminary Injunction. (Doc. 49). As noted by the Defendants' Response to Plaintiff's Objection to the Magistrate Judge Recommendation (Doc. 50), the Plaintiff's objection is in essence a Motion for Preliminary Injunction. (Doc. 50). The arguments and assertions contained in the Plaintiff's Objection (Doc. 48) were fully considered by Magistrate Judge Hodge. Upon further review, the Court finds that the objection does not demonstrate that the Magistrate Judge made any clear error in law or findings in recommending that Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (Doc. 34) be denied.

Therefore, upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 48) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein, together with the findings made and conclusions reached herein. Accordingly, Plaintiff's objections (Doc. 48) are **OVERRULED**. Plaintiff's Motion for Injunctive Relief (Doc. 34) is **DENIED**.

SO ORDERED, this 4th day of September, 2007.

/s/W. Louis Sands
THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT